

ORDINANCE NO. 07-57

ORDINANCE REPEALING AND RESCINDING HIALEAH, FLA., ORDINANCE 06-14 (MAR. 1, 2006) IN ITS ENTIRETY THAT REZONED PROPERTY FROM R-1 (ONE FAMILY DISTRICT) TO RO (RESIDENTIAL OFFICE DISTRICT) AND THAT GRANTED ASSOCIATED VARIANCES IN CONNECTION THEREWITH AND FURTHER RELEASING AND CANCELING THE DECLARATION OF RESTRICTIVE COVENANTS DATED NOVEMBER 9, 2005. **PROPERTY LOCATED AT 3055 WEST 4 AVENUE, HIALEAH, FLORIDA.** REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board at its meeting of May 9, 2007 recommended approval of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The City of Hialeah, Florida hereby repeals and rescinds Hialeah, Fla., Ordinance 06-14 (Mar. 1, 2006) in its entirety that rezoned property from R-1 (One Family District) to RO (Residential Office District) and that granted associated variances in connection therewith and further releases and cancels the Declaration of Restrictive Covenants dated November 9, 2005. Property located at 3055 West 4 Avenue, Hialeah, Miami-Dade County, Florida and legally described as follows:

LOTS 3 AND 4, BLOCK 180, TWELFTH ADDITION TO THE TOWN OF HIALEAH ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 127, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

Section 2: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: Penalties.

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 4: Severability Clause.

If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

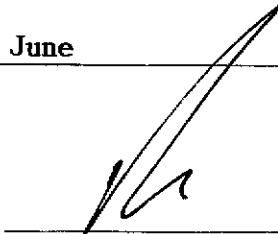
Section 5: Effective Date.

This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the

Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED and ADOPTED this 12 day of June, 2007.


THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.



Esteban Bovo
Council President

Attest:

Approved on this 14 day of June, 2007.

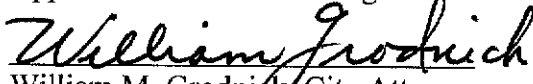


Rafael E. Granado, City Clerk



Mayor Julio Robaina

Approved as to form and legal sufficiency:



William M. Grodnick, City Attorney

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Ordinance was adopted by a unanimous vote with Councilmembers Bovo, Caragol, Casals-Muñoz, Gonzalez, Hernandez, Miel and Yedra voting "Yes".